

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CHELAN

TIMOTHY BORDERS, et al.,

Petitioners,

v.

KING COUNTY, et al.,

Respondents,

and

Washington State Democratic Central
Committee,

Intervenor-Respondent,

and

Libertarian Party of Washington State et al.,

Intervenor-Respondents.

No. 05-2-00027-3

**SUBPOENA
TO MARK HANDCOCK Ph.D.**

STATE OF WASHINGTON

TO: MARK HANDCOCK Ph.D.

Nannup Analytics
13740 40th Avenue NE,
Seattle, Washington 98125

SUBPOENA AD TESTIFICATUM - 1

SEA 1645764v1 55441-4

1 GREETINGS:

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3 YOU ARE HEREBY COMMANDED to be and appear at the offices of Davis
4 Wright Tremaine LLP, 1501 4th Avenue, Suite 2600, Seattle, WA 98101, on the 20th day of
5 May, 2005, at 9:00 a.m., then and there to testify as a witness at the request of Petitioners in
6 the above-entitled cause, and to remain in attendance until discharged.

7 YOU ARE FURTHER COMMANDED pursuant to CR 45 to bring with you at
8 said place and time, or such other place and time prior to the deposition as may be agreed
9 upon, the documents described in Exhibit A to this subpoena for examination and copying.

10
11 DATED this 11th day of May, 2005.

12 Davis Wright Tremaine LLP
13 Attorneys for Petitioners

14
15 By /s/ Robert J. Maguire
16 Harry J.F. Korrell, WSBA #23173
17 Robert J. Maguire, WSBA #29909
18 1501 Fourth Avenue, Suite 2600
19 Seattle, Washington 98101-1688
20 Telephone: (206) 622-3150

EXHIBIT A

I. DEFINITIONS

The following definitions are hereby incorporated into each request stated below:

1. "You" shall mean Mark Handcock and any officers, directors, employees, agents, affiliates, representatives, and other person or entity acting on your behalf.
2. "Intervenor" shall refer to any of the named Intervenor-Respondents in this case, together with any of their officers, directors, employees, agents, affiliates, representatives, and any other person or entity acting on their behalf, including their attorneys.
3. "Document" means any kind of handwritten, typewritten, printed or recorded material whatsoever, including without limitation all drafts, copies, data compilations in computer-readable form, electronic mail, foreign-language documents and translations of foreign-language documents. Documents that are identical except for handwritten or other annotations are considered non-identical, separate documents.

II. INSTRUCTIONS

1. These requests call for all documents in your possession, custody, or control (actual or constructive) including all materials that you have a right to secure from any other source. These sources include, but are not limited to, subsidiaries, affiliates, agents, employees, attorneys, accountants, consultants, and advisors.
2. All references to the connectives "and," "or," "any," and "all" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the request all responses that might otherwise be construed as outside of its scope.
3. If any responsive document was but is no longer in your possession, custody or subject to your control, please state what disposition was made of it and the date or dates (or approximate dates) on which such disposition was made.

1 4. If you claim that any requested document is privileged and therefore beyond
2 the scope of discovery, for each such document please:

3 a. Identify the document by specifying the date or approximate date of
4 preparation, the author(s), the addressee(s), any other recipient(s),
5 the number of pages, the name and business address of its custodian,
6 the name of the file in which the document is kept, the subject
7 matter of the document; and

8 b. Specify the privilege that you claim protects the document.

9 5. The time period covered by this subpoena is from September 1, 2004 to the
10 present.

11 **III. REQUESTED PRODUCTION**

12 1. Please produce all documents relied upon in forming your opinion(s) in this
13 matter or that you considered as possibly contradicting your opinion(s).

14 2. Please produce all documents to be used as a summary of or support for
15 your opinion(s) in this matter.

16 3. Please produce all documents, correspondence or other communications
17 between you and Intervenors that relate to this case.

18 4. Please produce all documents, correspondence or other communications
19 between you and any third party that relate to this case and all the documents generated by
20 any third party that you received.

21 5. Please produce your most recent curriculum vitae.

22 6. Please produce anything that you have previously written that relates to
23 your opinion(s) or the support for those opinion(s) or that possibly contradicts those
24 opinion(s) or the support for those opinion(s).